



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

January 27, 2004

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: National Remedy Review Board Recommendations for the Otis MMR Superfund Site

FROM: JoAnn Griffith, Chair
National Remedy Review Board

A handwritten signature in black ink, appearing to read "JoAnn Griffith", is placed over the text of the "FROM" field.

TO: Susan Studlien, Acting Director
Office of Site Remediation and Restoration
EPA Region 1

Purpose

The National Remedy Review Board (NRRB) has completed its review of the proposed cleanup action for the "chemical spill 10" operable unit (CS-10) of the Otis MMR Superfund Site in Massachusetts. This memorandum documents the NRRB's advisory recommendations.

Context for NRRB Review

The Administrator announced the NRRB as one of the October 1995 Superfund Administrative Reforms to help control response costs and promote consistent and cost-effective decisions. The NRRB furthers these goals by providing a cross-regional, management-level, "real time" review of high cost proposed response actions prior to their being issued for public comment. The board reviews all proposed cleanup actions that exceed its cost-based review criteria.

The NRRB evaluates the proposed actions for consistency with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and relevant Superfund policy and guidance. It focuses on the nature and complexity of the site; health and environmental risks; the range of alternatives that address site risks; the quality and reasonableness of the cost estimates

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for alternatives; regional, state/tribal, and other stakeholder opinions on the proposed actions, and any other relevant factors.

Generally, the NRRB makes advisory recommendations to the appropriate regional decision maker. The region will then include these recommendations in the administrative record for the site, typically before it issues the proposed cleanup plan for public comment. While the region is expected to give the board's recommendations substantial weight, other important factors, such as subsequent public comment or technical analyses of response options, may influence the final regional decision. The board expects the regional decision maker to respond in writing to its recommendations within a reasonable period of time, noting in particular how the recommendations influenced the proposed cleanup decision, including any effect on the estimated cost of the action. It is important to remember that the NRRB does not change the Agency's current delegations or alter in any way the public's role in site decisions.

Overview of the Proposed Action

The Otis/Massachusetts Military Reservation (Otis/MMR) Superfund Site is located on Upper Cape Cod in Massachusetts. The site lies within the boundaries of the Towns of Bourne, Falmouth, Mashpee, and Sandwich, and occupies approximately 22,000 acres. The site is situated over the Sagamore lens, the most productive part of the Cape Cod sole source aquifer (formally designated by EPA in 1982) which serves as the sole drinking water source for approximately 200,000 permanent residents and 520,000 seasonal residents to Cape Cod. The site was officially added to the NPL on November 21, 1989. A Federal Facility Agreement was signed in 1991 between EPA and the Department of Defense that set forth the cleanup obligations at MMR. To date, the site includes 82 source areas and multiple contaminated groundwater plumes that have been identified at or emanating from MMR. The specific operable unit addressed by the NRRB involved the CS-10 groundwater plume.

NRRB Advisory Recommendations

The NRRB reviewed the information package describing this proposal and discussed related issues with site manager Paul Marchessault on Wednesday, December 3rd, 2003. The board would like to note that, in this instance, the initial cleanup strategy for this action was selected in an interim record of decision (ROD) prior to the formation of the NRRB, and was not reviewed by the board. The NRRB is currently considering its policy regarding reviews of other final RODs that follow interim RODs. For the CS-10 operable unit, the NRRB reviewed modifications proposed by the region to the existing interim remedy, and has no significant comments.

The NRRB appreciates the region's efforts in working together with the potentially responsible parties, state, and community groups at this site. Thank you for your support and the support of your managers and staff in preparing for this review. Please call me at 703-603-8774 should you have any questions.

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cc: M. Cook (OSRTI)
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